

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application of Snake River Oil)
and Gas, LLC for an Order Establishing a Spacing)
Unit Consisting of the NE ¼ of Section 9 and the)
NW ¼ of Section 10, Township 8 North, Range 5)
West, Payette County, Idaho)
)
)
Snake River Oil and Gas, LLC, Applicant.)

Docket No. CC-2024-OGR-01-001
ORDER REFERRING MATTER
TO THE OFFICE OF
ADMINISTRATIVE HEARINGS

On April 29, 2024, The Idaho Department of Lands (“the Department”) received an application from Snake River Oil & Gas, LLC (“SROG”), for an order establishing a spacing unit consisting of the NE ¼ of Section 9 and the NW ¼ of Section 10, Township 8 North, Range 5 West, Payette County, Idaho. *Application* [Attachment 1]. On May 2, 2024, the Director of the Department issued an order designating the undersigned as the acting Division Administrator for Oil and Gas Conservation “to process this application in accordance with all governing statutes and rules.” May 2 Order [Attachment 2]. On May 2, the Department responded to SROG requesting additional clarifying information for the application under Idaho Code § 47-328(3)(a). Department Letter [Attachment 3]. On May 3, 2024, SROG responded with the additional application materials as requested. SROG Supplemental Materials [Attachment 4].

SROG’s application requires a hearing to establish the “the location, size, and shape of the unit, which . . . shall result in the efficient and economical development of the pool as a whole.” Idaho Code § 47-317(1), (2). Pursuant to my authority under Idaho Code § 47-328(3)(d), this matter is hereby referred to the Idaho Office of Administrative Hearings (“OAH”) to conduct a hearing and issue a recommended order on SROG’s application. *OAH Case Transmittal Sheet* [Attachment 5]. The undersigned will review the hearing officer’s recommended order and issue a written decision on SROG’s application no later than 30 days following the hearing. Idaho Code § 47-328(3)(e).

The hearing must be conducted and SROG's application evaluated according to the procedures and substantive provisions of the Idaho Oil and Gas Conservation Act, Idaho Code § 47-309 *et seq.* Specifically, Idaho Code § 47-328 governs the process applicable to applications for an order establishing a spacing unit and Idaho Code §§ 47-310 (definitions), 47-311 (public interest), 47-312 (prohibition of waste), and 47-317 (spacing units) supply applicable substantive provisions. Finally, in addition to SROG and the Department, notice of filings in this matter should also be served on individuals and entities listed in the attached service sheet. *See Service Sheet* [Attachment 6]. As of the time of this Order, the service list is incomplete and several leased mineral interest owners lack mailing address information. *See id.* SROG must provide updated contact information for these owners to complete the service sheet and should certify that notice has been provided to mineral interest owners as required by Idaho Code § 47-328(3)(b).

DATED this 7th day of May, 2024.



BILL HAAGENSON
Deputy Director, Idaho Department of Lands

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of May, 2024, I caused to be served a true and correct copy of the foregoing by the following method to:

Snake River Oil & Gas LLC
c/o Michael Christian
Hardee, Pinol & Kracke PLLC
1487 S. David Lane
Boise ID 83705
Counsel for Applicant

- U.S. Mail, postage prepaid
- Hand Delivery
- ✓ Email: mike@hpk.law

Hayden Marotz
Deputy Attorney General
PO Box 83720
Boise ID 83720-0010
Counsel for IDL

- U.S. Mail, postage prepaid
- Hand Delivery
- ✓ Email: hayden.marotz@ag.idaho.gov

James Thum
Idaho Department of Lands
PO Box 83720
Boise ID 83720-0050
IDL Program Manager, Oil and Gas

- U.S. Mail, postage prepaid
- Hand Delivery
- ✓ Email: jthum@idl.idaho.gov


Kourtney Romine
Workflow Coordinator

ATTACHMENT 1

LAW OFFICES

DANIEL R. HARDEE
GREG K. HARDEE
RICH M. PIÑOL
DAVID R. KRACKE
JOE M. HARRINGTON
JAKE HARDEE

HARDEE, PIÑOL & KRACKE PLLC

1487 S. David Lane
Boise, Idaho 83705

TELEPHONE
(208) 433-3913
TELEFAX
(208) 342-2170

Of Counsel:
BO DAVIES
MICHAEL CHRISTIAN

April 29, 2024

James Thum
Program Manager, Oil and Gas
Idaho Department of Lands
300 N. 6th St, Suite 103
Boise, Idaho 83702
Email: jthum@idl.idaho.gov

Re: Docket No. CC-2024-OGR-01-001; Application for order to establish spacing unit consisting of the NE ¼ of Section 9 and the NW ¼ of Section 10, Township 8 North, Range 5 West, Payette County, Idaho

Dear James:

Pursuant to Idaho Code §47-317 and §47-328, Applicant Snake River Oil and Gas, LLC (“Applicant”) submits¹ this application for an order establishing a gas spacing unit consisting of the NE ¼ of Section 9 and the NW ¼ of Section 10, both in Township 8 North, Range 5 West, Payette County, Idaho. This application is based on the following:

1. Idaho Code §47-317(1): To prevent or assist in preventing the waste of oil and gas, to avoid drilling unnecessary wells or to protect correlative rights, the department may, on its own motion or on the application of an interested person, and after notice and opportunity for hearing, issue an order establishing spacing units on a statewide basis, or for defined areas within the state, or for oil and gas wells drilled to varying depths.

Applicant proposes a spacing unit consisting of the defined area of NE ¼ of Section 9 and the NW ¼ of Section 10, both in Township 8 North, Range 5 West, as illustrated on the plat map attached hereto as **Exhibit A**. The uncommitted mineral owners in the proposed unit area are set forth in the exhibit attached hereto as **Exhibit B**.

¹ I am submitting this application to you as the Department’s Program Manager for Oil & Gas, as the position of Administrator for Minerals, Navigable Waters, and Oil & Gas is currently vacant.

April 29, 2024

Page 2

As set forth in the Declaration of Richard Brown attached hereto as **Exhibit C**, Applicant is an “interested person” for purposes of Idaho Code § 47-317(1) by virtue of currently holding approximately 83.6875% of the net mineral acres in proposed spacing unit area by lease. Applicant is an “owner” as defined by Idaho Code § 47-310(27) as to each tract leased by it in the proposed spacing unit area, as by virtue of each lease Applicant is “the person who has the right to drill into and produce from a pool and to appropriate the oil and gas that he produces therefrom, either for himself or for himself and others.”

As set forth in the Declaration of David Smith attached hereto as **Exhibit D** and discussed below, Applicant submits that the proposed spacing unit configuration will prevent waste, avoid the drilling of unnecessary wells and protect correlative rights.

2. Idaho Code § 47-317(2): An order establishing spacing units shall specify the location, size, and shape of the unit, which, in the opinion of the department, shall result in the efficient and economical development of the pool as a whole. These units established by the department shall be geographic. The geographic boundary of the unit shall be described in accordance with the public land survey system. The department shall issue an order establishing a spacing unit or units to determine the area that can be efficiently and economically drained by one (1) well for the orderly development of the pool.

As set forth in Exhibit D, Applicant submits that the proposed spacing unit will result in the efficient and economical development of the pool as a whole. The proposed spacing unit is geographic and described in accordance with the public land survey system, and within that requirement describes the area that can be efficiently and economically drained by one well for the orderly development of the pool.

A standard spacing unit consisting of either all of Section 9 or all of Section 10 would not accomplish the orderly development of the pool or describe the area that can be economically or efficiently drained by one well, as large areas of either unit would be outside the drainage area of an anticipated well targeting Sand D. Compensation to owners of those areas would injure the correlative rights of owners of the minerals within the drainage area of the well. “Correlative rights” are defined in the Act to mean “the opportunity of each owner in a pool to produce his just and equitable share of oil and gas in a pool without waste.” Idaho Code § 47-310(8). Additionally, development according to standard spacing would result in inefficient drainage, could diminish the quantity of hydrocarbons ultimately produced from Sand D, and require unnecessary additional wells, causing waste. Idaho Code § 47-310(36)(a).

The proposed unit area is described by geographic subdivision as required by Idaho Code § 47-317(2). The proposed unit area is not required to exactly describe the outlines of the sand to be tested and produced. Idaho Courts in other states have erred on the side of the inclusion of questionable acreage when confronted with claims of barren acreage within a spacing unit. *See Amoco Production Co. v. Ware*, 602 S.W.2d 620 (Ark. 1981).

April 29, 2024

Page 3

3. Idaho Code § 47-328(3)(b): For applications involving an order regarding establishment or amendment of a spacing unit, . . . the applicant shall send a copy of the application and supporting documents to all known and located uncommitted mineral interest owners, all working interest owners within the proposed spacing unit, and the respective city or county where the proposed unit is located. The mailing shall be sent by certified mail within seven (7) days of filing the application and include notice of the hearing date on which the administrator will consider the application. For any uncommitted owners and working interest owners who cannot be located, an applicant shall publish notice of any application for an order, notice of hearing and response deadline once in a newspaper of general circulation in the county in which the affected property is located and request the department publish notice on its website within seven (7) days of filing of the application.

Within seven days of the filing of this Application, Applicant will mail a copy of this application and its supporting exhibits, along with a notice of the hearing date on which the Administrator will hear the application according to the Department's regular hearing schedule, to all uncommitted mineral interest owners in the proposed spacing unit area, as listed on Exhibit B, as well as to all uncommitted mineral interest owners in properties contiguous with the proposed spacing unit area.² Applicant will separately file copies of mailing receipts with the Department following the mailing.

There are no unknown or unlocatable mineral interest owners in the proposed unit area, or as to the tracts immediately adjacent to the proposed unit area.

Applicant requests that this application be heard at the next regularly scheduled administrative hearing date listed on the Department's website, June 13, 2024.

Very truly yours,
HARDEE, PINOL & KRACKE, PLLC



Michael Christian

Attachments: Exhibit A (plat map)
Exhibit B (list of mineral owners)
Exhibit C (Declaration of Richard Brown)
Exhibit D (Declaration of David Smith)

cc: Snake River Oil and Gas, LLC

² § 328(3)(b) does not require notice to mineral owners outside the proposed unit area, but in an exercise of caution Applicant is noticing those uncommitted owners of tracts contiguous to the proposed unit area not already receiving notice by virtue of owning property inside the proposed unit area.

EXHIBIT A

The Northeast Quarter of Section 9 and The Northwest Quarter of Section 10 Township 8 North, Range 5 West.

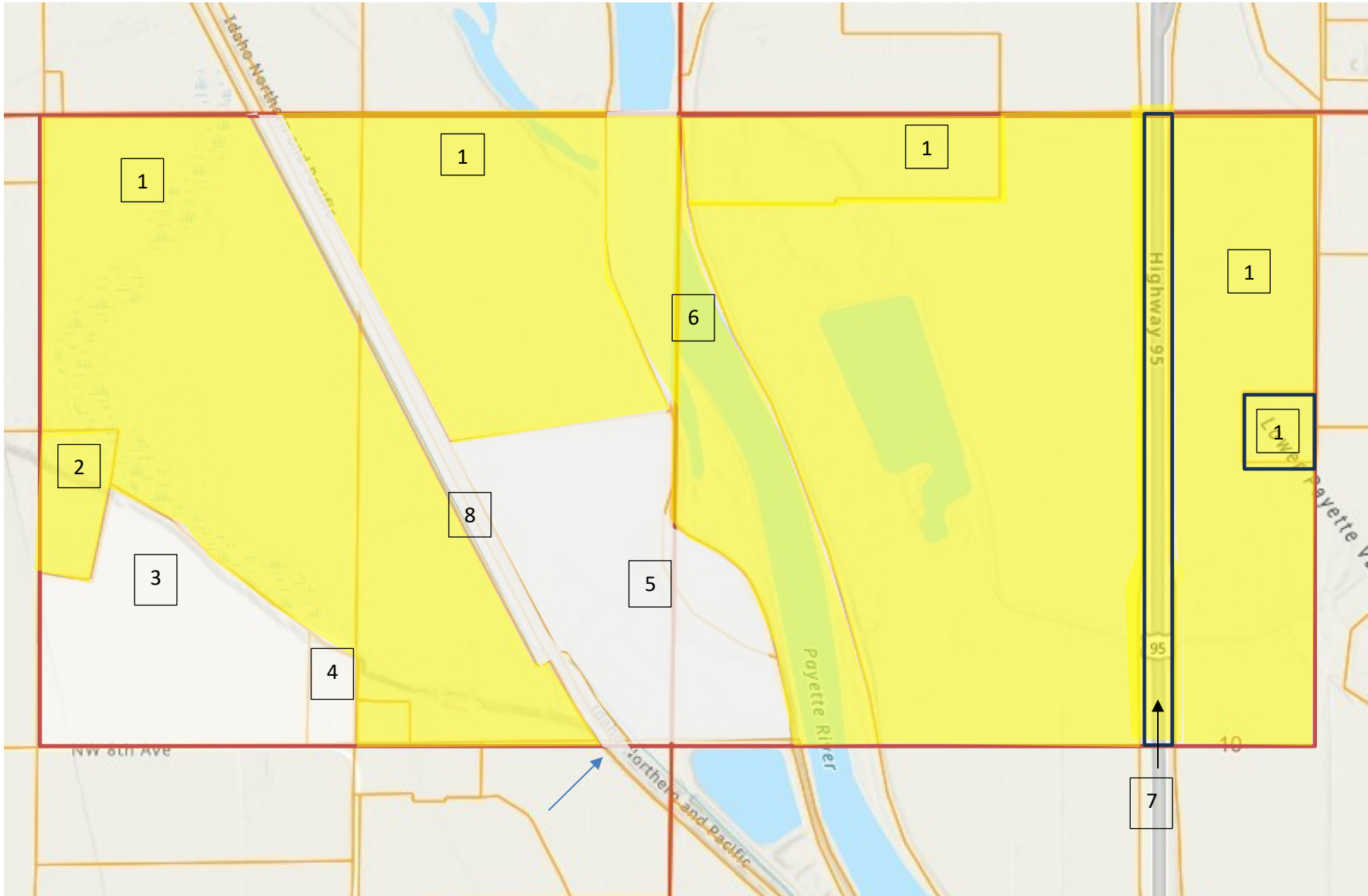


EXHIBIT B

	Gross Acres		Open Net Acres	Leased Net Acres		Leased %	
	320		52.2	267.8		0.836875	
Map #	Tract	Parcel	Mineral Owner / Lessor	Current Lessee	Gross Acres	Interest	Net Acres
#1	08N05W-9&10-001	0316000100C; 03160008000A; 03160011000A; 03780009000A; 03780009000B	Fallon Enterprises Larry James		235.37	1	235.37
				Total Net Acres 235.37	Total Open Acres 0	Total Leased Acres 235.37	Total Leased % 100
#2	08N05W-9&10-002	37800160000	Garman & Sons, Inc.		4.1	1	4.1
				Total Net Acres 4.1	Total Open Acres 0	Total Leased Acres 4.1	Total Leased % 100
#3	08N05W-9&10-003	03780017000A	Fern Marie Robinette		20	1	20
				Total Net Acres 20	Total Open Acres 20	Total Leased Acres 0	Total Leased % 0
#4	08N05W-9&10-004	03780019000A	Robert and Sue Hewett		1.8	1	1.8
				Total Net Acres 1.8	Total Open Acres 1.8	Total Leased Acres 0	Total Leased % 0
#5	08N05W-9&10-005	F316000700A; F00000109997; F3780020000A	City of Fruitland		25.4	1	25.4
				Total Net Acres 25.4	Total Open Acres 25.4	Total Leased Acres 0	Total Leased % 0
#6	08N05W-10-006		Payette River		17.88	1	17.88
				Total Net Acres 22.8	Total Open Acres 0	Total Leased Acres 22.8	Total Leased % 100
#7	08N05W-9&10-007		Highway 95		7.2	1	7.2
				Total Net Acres 7.2	Total Open Acres 0	Total Leased Acres 7.2	Total Leased % 100
#6	08N05W-9&10-008		Payette River		3.25	1	3.25
				Total Net Acres 3.25	Total Open Acres 0	Total Leased Acres 3.25	Total Leased % 100
#8	08N05W-9&10-009		Idaho Northern & Pacific Railroad		5	1	5
				Total Net Acres 5	Total Open Acres 5	Total Leased Acres 0	Total Leased % 0

EXHIBIT C

BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of Application of Snake River Oil and Gas, LLC, for Order Establishing a Spacing Unit Consisting of the NE ¼ of Section 9 and the NW ¼ of Section 10, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho)

Docket No. CC-2024-OGR-01-001

SNAKE RIVER OIL AND GAS, LLC, Applicant.)

DECLARATION OF RICHARD BROWN

I, Richard Brown, declare under penalty of perjury under the laws of the State of Idaho:

1. I am over 18 years of age and competent to testify to the matters set forth in this Declaration, which I make based on my personal knowledge.

2. I am the manager of Applicant Snake River Oil and Gas, LLC (“Snake River”). I am also a partner in Weiser-Brown Oil Co., the sole member of Snake River. I have supervised the effort to lease mineral interests in the proposed spacing unit consisting of the NE ¼ of Section 9 and the NW ¼ of Section 10, Township 8 North, Range 5 West, Payette County, Idaho.

3. Snake River is an “interested person” under Idaho Code § 47-317(1) for purposes of the subject application for a spacing order by virtue of currently holding approximately 83.6875% of the net mineral acres in proposed spacing unit area by lease.

Dated this 29th day of April, 2024.



Richard Brown

EXHIBIT D

BEFORE THE IDAHO DEPARTMENT OF LANDS

**In the Matter of Application of Snake River Oil)
and Gas, LLC for an Order establishing a)
Spacing Unit Consisting of the NE ¼ of Section)
9, and the NW ¼ of Section 10, Township 8)
North, Range 5 West, Boise Meridian, Payette)
County, Idaho)
))
**SNAKE RIVER OIL AND GAS, LLC,)
Applicant.)
))
))
_____)****

Docket No. CC-2024-OGR-01-001

DECLARATION OF DAVID M. SMITH

STATE OF TEXAS)
) ss
County of Harris)

I, David M. Smith, declare:

1. I have over 40 years’ experience in domestic and international exploration, development and acquisitions/divestitures of oil and gas properties. I have been involved in Idaho oil and gas exploration since 2012. I worked in exploration at Paramount Petroleum and Torch Energy Advisors, Inc., and served as the Exploration Manager for Bellwether Exploration Company. I served as the Vice President of Geosciences for Alta Mesa Holdings. I earned a Bachelor of Science in Geology from Virginia Tech. I am a working interest partner in and consult for Snake River Oil and Gas in Idaho. Included in my responsibilities are interpreting data from 2-D and 3-D seismic projects, identifying and evaluating likely pools based on interpretation of

seismic and geologic data, selecting drilling targets based on such interpretation and evaluation, and interpreting the geophysical logs acquired during drilling operations.

2. I designed and supervised the acquisition of a 3-dimensional (3-D) seismic survey with specific parameters to explore for oil and gas reservoirs, appropriate to the challenges of this sedimentary basin. The sediments are often complexly faulted. There are often numerous basalt flows, dikes and sills present in the subsurface. These conditions complicate geologic interpretations from geophysical data.

3. I interpreted these seismic data from a project which covered several sections in Township 8 North, Range 5 West, Payette County, Idaho, including the NE $\frac{1}{4}$ of Section 9 and the NW $\frac{1}{4}$ of Section 10 (“the subject spacing unit”).

4. My exploration approach in this basin is to rigorously interpret 3-D seismic data while incorporating and integrating subsurface knowledge gained from wells which we have previously drilled in the basin. The interpretation of these data is informed and guided by field work in the basin studying the sediments in outcrop and extensive review of previous geologists published work in the basin.

5. The time information contained in the 3-D seismic data can be used to estimate the depth of specific horizons of interest extrapolating away from well control into undrilled areas.

6. Immediately after drilling a well, we record (or “log”) multiple geophysical parameters of the rocks exposed in the open wellbore by lowering multiple instruments to the bottom of the hole and slowly withdrawing them back to the surface as we measure and record the responses from the rocks over every foot of section. These records are called “Open Hole Logs” or “OHL’s”.

7. One of the instruments in the OHL suite, the Sonic log, measures the transit time of a sound pulse through each rock type encountered at the varying depths in the wellbore. These measurements can be analyzed and compiled to produce a time-depth chart which estimates the time that a sound pulse from the surface would take to reach a known depth in that particular wellbore.

8. This time depth relationship can be utilized with the time information contained in the 3-D seismic and used to identify and “tie” specific reflections which are created by specific rock types or formations encountered in the wellbore.

9. The specific reflection or “horizon” of interest can then be mapped in the 3-D seismic volume laterally away from the wellbore into unexplored areas, and informed interpretations can then be made as to that horizons’ depth, and presence or absence at other locations within the 3-D survey.

10. Additionally, I study the seismic responses produced by the different rock types (lithologies) encountered and the seismic responses from sands with different thicknesses and fluid types (typically gas-saturated versus water-saturated sands of varying thicknesses). In certain settings, a gas-saturated sand can produce an anomalous seismic response which differs markedly from that produced by a water-saturated sand. The anomalous response is produced because the presence of gas in a sands pore spaces lowers its density and the transit time velocity of a sonic pulse. Mapping the area of the anomalous response can give a reasonable approximation of the area of the presumed gas reservoir.

11. The proposed well in the new unit would be an exploratory test targeting presumed sands in the Idaho Group.

12. The primary target reservoir sections are Sands A and B which are presumed fluvial and lacustrine sands within the Poison Creek and Chalk Hills formations of the Idaho Group. These sands are found productive and across a saddle in the Fallon #1-10 well (See Exhibit A) .

13. The Fallon #1-10 well is producing gas from Sand B and has a Gas/Water contact found at -1388' subsea. The proposed new well is targeting a separate pool to the north, with a proposed Gas Water contact interpreted from the seismic approximately 25 milliseconds or 100' structurally higher at approximately -1290' subsea. (See Exhibits A & B).

14. The trap for the presumed new pool is two down to the northeast faults bounding the pool on the north and east, and the stratigraphic termination of Sands A and B to the Northeast. Sand B has only been found locally in the Fallon 1-10 and the Barlow 2-14 wells and is not present to the east. The black-dashed line on Exhibit C represents the stratigraphic termination of Sand B.

15. Potential top seal could be provided by claystones and tuffaceous silts of the overlying Glenn's Ferry formation. These sediments represent later, deeper water lacustrine facies

16. Local well control suggests significant variability of porosity, permeability and sand thickness in the target section.

17. This prospect is targeting a presumed structural and stratigraphic trap defined by seismic data. The top of the prospective Sand A is expected to be approximately -1140' subsea, and Sand B is expected at approximately -1250' subsea.

18. 3-D seismic data localizes this presumed new pool in the NE ¼ of Section 9 and the NW ¼ of Section 10 in Township 8 North, Range 5 West. Based on rigorous interpretation of the seismic data, I conclude that a 320 acre geographic unit encompassing the above described 2 quarter sections is the best fit to cover the lands underlain by the presumed pool at the primary

objective sand B, and that the proposed 320 acre unit is not smaller than the maximum area that could be efficiently and effectively drained by one well. The test well would be located near the center of the unit. My interpretation of 3-D seismic data leads me to conclude that the target sand's down dip productive limit is likely contained within the proposed unit area. See Exhibit C, which shows the areal extent of the reflection from the base of the postulated gas reservoir in relation to the proposed unit outline.

19. Based upon the similarity of the characteristics of the seismic responses in the proposed new unit to the characteristics of seismic responses associated with known gas productive sands in this area, in my opinion Sands A and B are likely prospective for hydrocarbons in the proposed unit area.

20. There is much to be learned about the geology of this basin, and our intention would be to drill some distance below the two primary objective sands and see the deeper section. Our intention would be to unitize these lands to all depths.

21. I declare under penalty of perjury under the laws of the State of Idaho that the foregoing is true and correct to the best of my knowledge.

Dated this 29th day of April, 2024.

David M. Smith

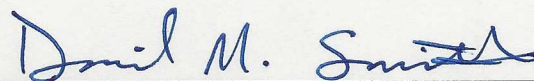
could be efficiently and effectively drained by one well. The test well would be located near the center of the unit. My interpretation of 3-D seismic data leads me to conclude that the target sand's down dip productive limit is likely contained within the proposed unit area. See Exhibit C, which shows the areal extent of the reflection from the base of the postulated gas reservoir in relation to the proposed unit outline.

19. Based upon the similarity of the characteristics of the seismic responses in the proposed new unit to the characteristics of seismic responses associated with known gas productive sands in this area, in my opinion Sands A and B are likely prospective for hydrocarbons in the proposed unit area.

20. There is much to be learned about the geology of this basin, and our intention would be to drill some distance below the two primary objective sands and see the deeper section. Our intention would be to unitize these lands to all depths.

21. I declare under penalty of perjury under the laws of the State of Idaho that the foregoing is true and correct to the best of my knowledge.

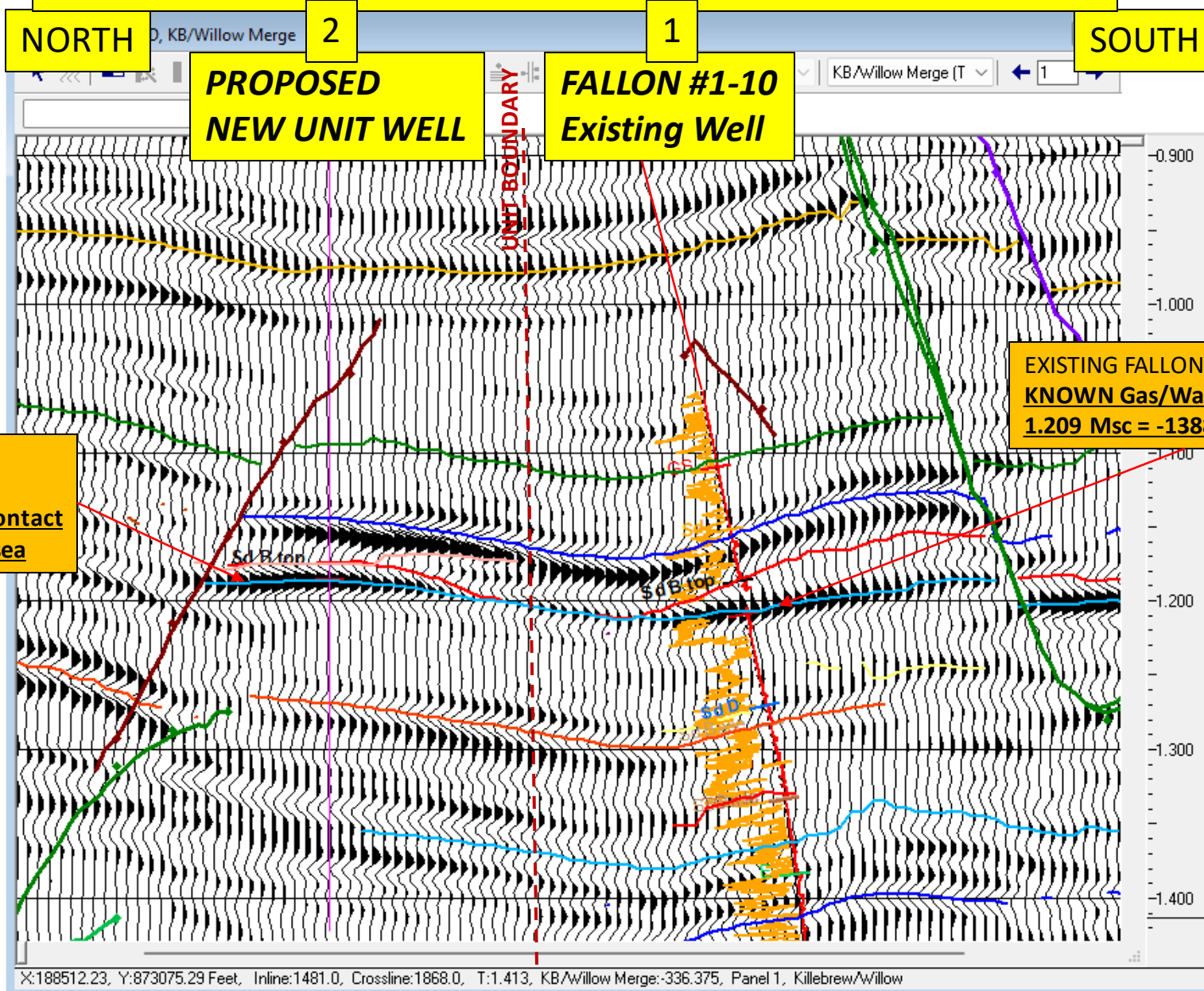
Dated this 29th day of April, 2024.



David M. Smith

North-South 3-D Seismic Line Showing:

1. (Right) Known Sand B Gas Pool – South Unit, **Fallon #1-10**
2. (Left) Presumed Sand B Gas Pool – Proposed New Unit

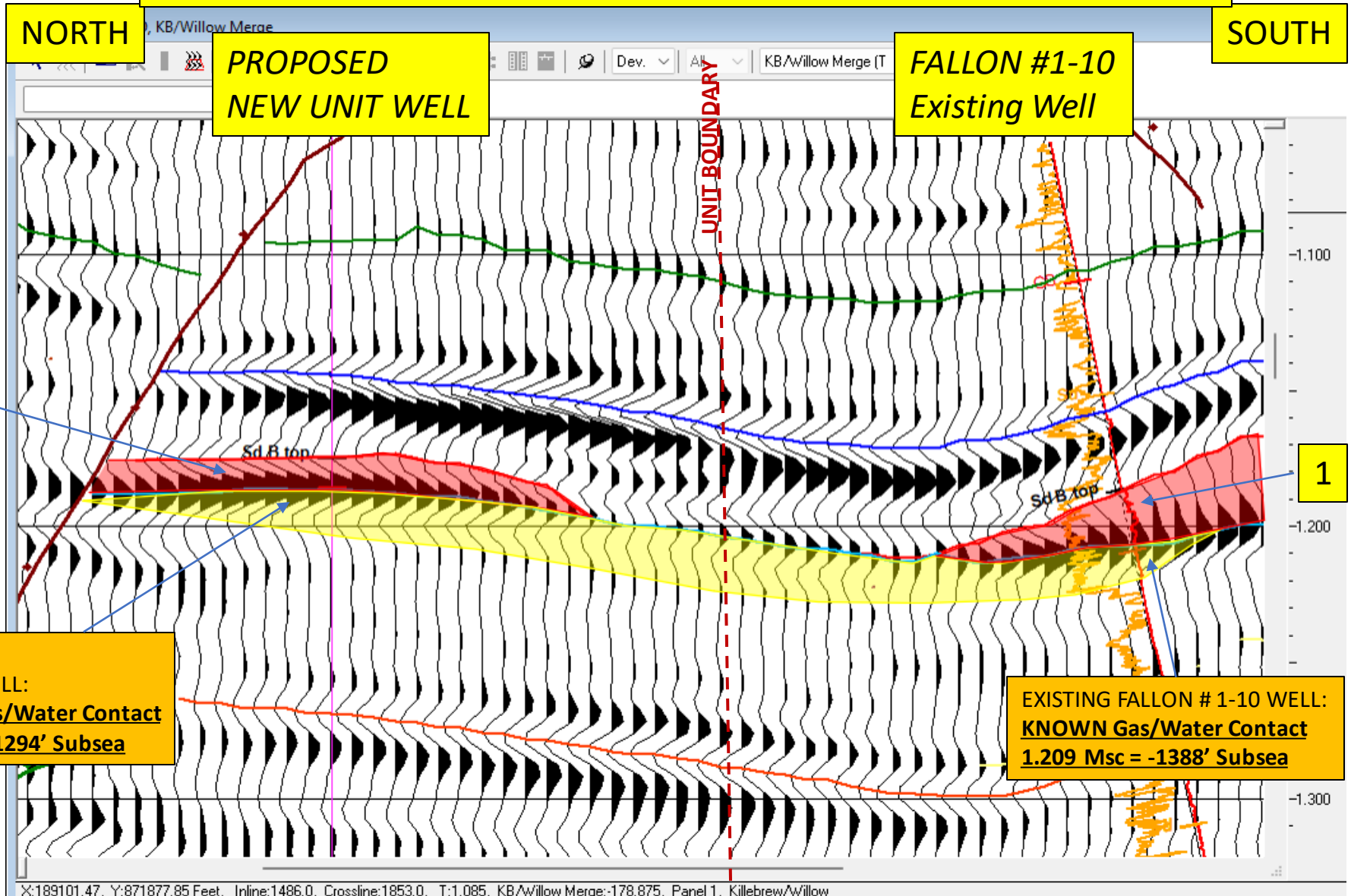


EXISTING FALLON # 1-10 WELL:
KNOWN Gas/Water Contact
1.209 Msc = -1388' Subsea

PROPOSED
NEW UNIT WELL:
Estimated Gas/Water Contact
1.186 Msc = -1294' Subsea

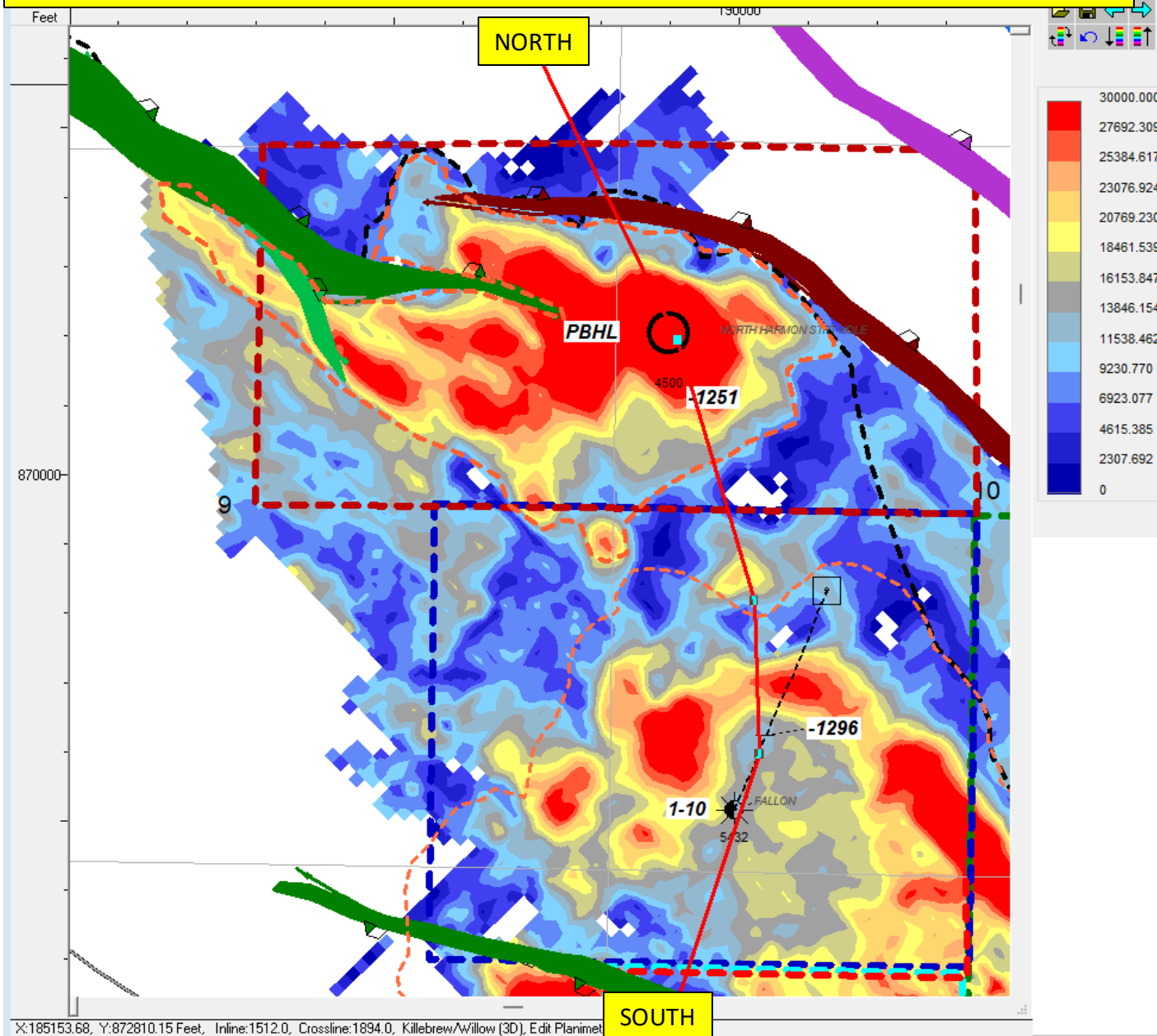
North-South 3-D Seismic Line (Enlarged & Interpreted) Showing:

1. (Right) Known Sand B Gas Pool – South Unit, **Fallon #1-10**
2. (Left) Presumed Sand B Gas Pool – Proposed New Unit



Amplitude Map Showing Strength of Reflection from Base of:

1. Known Sand B Gas Pool – South Unit, Fallon #1-10
2. Presumed Sand B Gas Pool – Proposed New Unit
3. Location of 3-D Seismic Line in 2 Previous Slides (Red)



ATTACHMENT 2

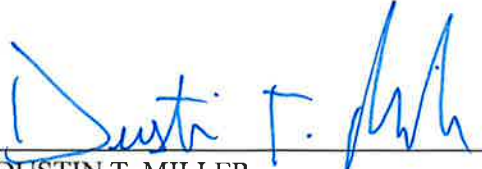
BEFORE THE IDAHO DEPARTMENT OF LANDS

In the Matter of the Application of Snake River Oil)
and Gas, LLC for an Order Establishing a Spacing)
Unit Consisting of the NE ¼ of Section 9 and the)
NW ¼ of Section 10, Township 8 North, Range 5)
West, Payette County, Idaho)
Snake River Oil and Gas, LLC, Applicant.)

Docket No. CC-2024-OGR-01-001
ORDER DESIGNATING ACTING
ADMINISTRATOR

On April 29, 2024, Snake River Oil and Gas, LLC submitted an application for an order establishing a spacing unit consisting of the NE ¼ of Section 9 and the NW ¼ of Section 10, Township 8 North, Range 5 West, Payette County, Idaho. The Idaho Department of Lands (“the Department”) processes applications for orders establishing spacing units pursuant to Idaho Code § 47-328(3). That process requires the Division Administrator for Oil and Gas Conservation (“the Administrator”) or an appointed hearing officer to review the merits of the application and issue a written decision. Idaho Code § 47-328(d), (e). The Administrator position is currently vacant. Accordingly, pursuant to my authority under Idaho Code §§ 58-104A and 58-105, I hereby designate Deputy Director Bill Haagenson as the acting Administrator to process this application in accordance with all governing statutes and rules.

DATED this 2nd day of May, 2024.


DUSTIN T. MILLER
Director, Idaho Department of Lands

CERTIFICATE OF MAILING

I hereby certify that on this 3rd day of May 2024, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Snake River Oil & Gas LLC
c/o Michael Christian
Hardee, Pinol & Kracke PLLC
1487 S. David Lane
Boise ID 83705
Counsel for Applicant

- U.S. Mail, postage prepaid
- Hand Delivery
- ✓ Email: mike@hpk.law

Hayden Marotz
Deputy Attorney General
PO Box 83720
Boise ID 83720-0010
Counsel for IDL

- U.S. Mail, postage prepaid
- Hand Delivery
- ✓ Email: hayden.marotz@ag.idaho.gov

James Thum
Idaho Department of Lands
PO Box 83720
Boise ID 83720-0050
IDL Program Manager, Oil and Gas

- U.S. Mail, postage prepaid
- Hand Delivery
- ✓ Email: jthum@idl.idaho.gov

Bill Haagenson
Idaho Department of Lands
PO Box 83720
Boise ID 83720-0050
IDL Deputy Director/Acting Administrator

- U.S. Mail, postage prepaid
- Hand Delivery
- ✓ Email: whaagenson@idl.idaho.gov

Kourtney Romine

Kourtney Romine
Workflow Coordinator

ATTACHMENT 3

IDAHO DEPARTMENT OF LANDS
DIRECTOR'S OFFICE
300 N. 6th Street Suite 103
PO Box 83720
Boise, ID 83720-0050
Phone (208) 334-0200
Fax (208) 334-5342



IDAHO OIL AND GAS
CONSERVATION COMMISSION
Betty Coppersmith, Chair
Ray Hinchcliff, Vice Chair
Marg Chipman
Marc Haws
Jennifer Riebe

May 2, 2024

Michael Christian
Hardee, Piñol & Kracke PLLC
1487 S. David Lane
Boise, Idaho 83705

via e-mail: mike@hpk.law

Re: Docket No. CC-2024-OGR-01-001; Application for order to establish spacing unit consisting of the NE $\frac{1}{4}$ of Section 9 and the NW $\frac{1}{4}$ of Section 10, Township 8 North, Range 5 West, Payette County, Idaho

Dear Mr. Christian:

This letter serves as acknowledgement that the Idaho Department of Lands (IDL) received the above referenced spacing application on April 29, 2024. As described in Idaho Code § 47-328 (3)(a), "The department shall notify the applicant within five (5) business days of receipt of an application if additional information is required for the department to evaluate the application." After reviewing the spacing application, IDL requests the following additional items to clarify certain parts of the application as submitted.

1. Application letter, page 2, Item 2, paragraph 3 states that an anticipated well in the proposed unit is targeting Sand D, and that development of hydrocarbons from Sand D could be adversely affected by utilizing standard spacing. Exhibit D, Declaration of David M. Smith. Page 4, Item 12 states, "The primary target reservoir sections are Sands A and B." For the record, please correct the Application letter to reflect the sand intervals for which Snake River Oil & Gas LLC is requesting a spacing order.
2. Exhibit A does not indicate the difference between parcels highlighted yellow and unhighlighted parcels. The NE $\frac{1}{4}$ of Section 9 and the NW $\frac{1}{4}$ of Section 10 are not labeled. In addition, several parcels are not labeled numerically. This includes the NE corner of the W $\frac{1}{2}$, NE $\frac{1}{4}$ Section 9, the irregular-shaped parcel in the NE corner of the E $\frac{1}{2}$, NE $\frac{1}{4}$ Section 9, the SW corner of the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 9, and most of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ Section 10. Please provide the above labels on Exhibit A.
3. Exhibits A and B of Exhibit D - Declaration of David M. Smith: Please indicate on the seismic profile the positions of targets Sand A and Sand B.

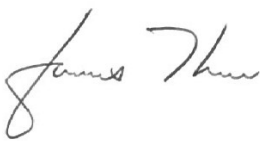
Michael Christian
May 2, 2024
Page 2

4. Exhibit C of Exhibit D – Declaration of David M. Smith: Please label the following features on the Amplitude map – Items #1, #2 and #3 in the title block, the brown dashed box, the blue dashed box, the black dashed line (presumed to be referenced in Item 14 of the Declaration), and the two orange dashed lines.
5. A seismic profile from the southeast corner of the brown dashed box on the amplitude map (Exhibit C of Exhibit D) through the black circle labeled as “PBHL”, extending between the brown and green faults, to the northwest corner of the brown dashed box. This seismic profile should use the same display parameters as Exhibit A of Exhibit D, the North-South 3-D Seismic Line.
6. The Notice of Service list for the subject Docket, including addresses of noticed parties, as required by Idaho Code §47-328(3)(b).

IDL has not made a determination regarding the completeness of the application as it pertains to the necessary information as provided in statute. The above request for information is only to clarify certain aspects of the information submitted in the application.

If you have any questions, you can reach me at (208) 334-0243 or jthum@idl.idaho.gov. Thank you for your assistance.

Sincerely,



James Thum
Oil & Gas Program Manager
Minerals, Navigable Waters, Oil & Gas
Idaho Department of Lands

ec: Bill Haagenson, Deputy Director, Idaho Department of Lands
whaagenson@idl.idaho.gov ; Hayden Marotz, Deputy Attorney General,
Hayden.Marotz@ag.idaho.gov ; David M. Smith, consultant
DaveSmith1776@outlook.com ; Richard Brown, partner, Snake River Oil & Gas LLC
richard@weiserbrown.email

ATTACHMENT 4

From: [Mike Christian](#)
To: [James Thum](#); [Hayden Marotz](#); [Bill Haagenson](#)
Cc: [Richard Brown](#); [David Smith](#)
Subject: Re: Docket No. CC-2024-OGR-01-001 - IDL reply
Date: Friday, May 03, 2024 09:44:42 AM
Attachments: [image001.jpg](#)
[20240429.Declaration of David Smith full scan signed..pdf](#)
[20240429.SROG North Harmon spacing application.Rev 1.pdf](#)
[20240501.North Harmon uncommitted owners with addresses.docx](#)
[20240503.Ex. A North Harmon.pdf](#)
[Adjacent Owners Sheet.xlsx](#)

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

James, thank you for your letter.

1. Dave Smith is working on the additional information for the exhibits to his declaration and should have revised exhibits to you today.

2. I have corrected the application letter references regarding the target sands to Sands A and B as you noted. My apologies for the oversight.

3. With respect to Exhibit A, the tract map:

a. A revised Exhibit A including numerical labels on all tracts, and identifying the quarter sections, is attached.

b. I am clarifying the first paragraph under numbered item 1 in the application letter as follows:

Applicant proposes a spacing unit consisting of the defined area of NE $\frac{1}{4}$ of Section 9 and the NW $\frac{1}{4}$ of Section 10, both in Township 8 North, Range 5 West, as illustrated on the plat map attached hereto as **Exhibit A**. Committed tracts are highlighted in yellow, and uncommitted tracts are shown in white. The uncommitted mineral owners in the proposed unit area are set forth in the exhibit attached hereto as **Exhibit B**. The uncommitted tracts shown on Exhibit A are indexed to the numbered list of tract owners on Exhibit B. Tracts numbered 3, 4, 5 and 8 shown on Exhibit A are uncommitted.

I revised the letter accordingly, along with the other corrections you noted. A revised version of the letter is attached.

4. Per my earlier email, a full scan of Dave's declaration with one signature page is attached. As I noted above, Dave will supply the revised exhibits to the declaration shortly.

5. Also attached are mailing lists for the uncommitted owners in the unit and the uncommitted adjacent owners. Note that two owners are already to receive notice

of the application as uncommitted owners in the proposed unit area.

We expect to mail to uncommitted unit owners and uncommitted adjacent owners late today or Monday, and will include the revised letter, clean version of Dave Smith's declaration, and revised exhibits in the mailing.

Once you have reviewed the above and the attached, please let me know if you need additional information.

Thanks,

Mike

Michael Christian
Of Counsel
HARDEE, PIÑOL & KRACKE, PLLC
1487 S. David Lane
Boise, ID 83705
(208) 433-3913
mike@hpk.law

CONFIDENTIALITY NOTICE: This e-mail is intended only for the personal and confidential use of the individual(s) named as recipients and is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521. It may contain information that is privileged, confidential and/or protected from disclosure under applicable law including, but not limited to, the attorney client privilege and/or work product doctrine. If you are not the intended recipient of this transmission, please notify the sender immediately by telephone. Do not deliver, distribute or copy this transmission, disclose its contents or take any action in reliance on the information it contains.

From: James Thum <jthum@idl.idaho.gov>

Sent: Thursday, May 2, 2024 2:14 PM

To: Mike Christian <mike@hpk.law>

Cc: Bill Haagenson <whaagenson@idl.idaho.gov>; Hayden Marotz <hayden.marotz@ag.idaho.gov>; David Smith <DaveSmith1776@outlook.com>; Richard Brown <richard@weiserbrown.email>

Subject: Docket No. CC-2024-OGR-01-001 - IDL reply

Good afternoon Mike,

Regarding the above named docket, please see the attached IDL reply letter. Please contact me at your earliest convenience with any questions.

Sincerely,

James Thum
Oil & Gas Program Manager
Idaho Department of Lands
th

300 N. 6 Street, Suite 103
Boise, ID 83702-6098
Office: (208) 334-0243
Mobile: (208) 912-5014
Email: jthum@idl.idaho.gov
<https://ogcc.idaho.gov/>



LAW OFFICES

HARDEE, PIÑOL & KRACKE PLLC

1487 S. David Lane
Boise, Idaho 83705

TELEPHONE
(208) 433-3913

TELEFAX
(208) 342-2170

DANIEL R. HARDEE
GREG K. HARDEE
RICH M. PIÑOL
DAVID R. KRACKE
JOE M. HARRINGTON
JAKE HARDEE

Of Counsel:
BO DAVIES
MICHAEL CHRISTIAN

April 29, 2024

James Thum
Program Manager, Oil and Gas
Idaho Department of Lands
300 N. 6th St, Suite 103
Boise, Idaho 83702
Email: jthum@idl.idaho.gov

Re: Docket No. CC-2024-OGR-01-001; Application for order to establish spacing unit consisting of the NE ¼ of Section 9 and the NW ¼ of Section 10, Township 8 North, Range 5 West, Payette County, Idaho

Dear James:

Pursuant to Idaho Code §47-317 and §47-328, Applicant Snake River Oil and Gas, LLC (“Applicant”) submits¹ this application for an order establishing a gas spacing unit consisting of the NE ¼ of Section 9 and the NW ¼ of Section 10, both in Township 8 North, Range 5 West, Payette County, Idaho. This application is based on the following:

1. Idaho Code §47-317(1): To prevent or assist in preventing the waste of oil and gas, to avoid drilling unnecessary wells or to protect correlative rights, the department may, on its own motion or on the application of an interested person, and after notice and opportunity for hearing, issue an order establishing spacing units on a statewide basis, or for defined areas within the state, or for oil and gas wells drilled to varying depths.

Applicant proposes a spacing unit consisting of the defined area of NE ¼ of Section 9 and the NW ¼ of Section 10, both in Township 8 North, Range 5 West, as illustrated on the plat map attached hereto as **Exhibit A**. Committed tracts are highlighted in yellow, and uncommitted tracts are shown in white. The uncommitted mineral owners in the proposed unit area are set forth in the exhibit attached hereto as **Exhibit B**. The uncommitted tracts shown on Exhibit A are indexed to

¹ I am submitting this application to you as the Department’s Program Manager for Oil & Gas, as the position of Administrator for Minerals, Navigable Waters, and Oil & Gas is currently vacant.

May 3, 2024

Page 2

the numbered list of tract owners on Exhibit B. Tracts numbered 3, 4, 5 and 8 shown on Exhibit A are uncommitted.

As set forth in the Declaration of Richard Brown attached hereto as **Exhibit C**, Applicant is an “interested person” for purposes of Idaho Code § 47-317(1) by virtue of currently holding approximately 83.6875% of the net mineral acres in proposed spacing unit area by lease. Applicant is an “owner” as defined by Idaho Code § 47-310(27) as to each tract leased by it in the proposed spacing unit area, as by virtue of each lease Applicant is “the person who has the right to drill into and produce from a pool and to appropriate the oil and gas that he produces therefrom, either for himself or for himself and others.”

As set forth in the Declaration of David Smith attached hereto as **Exhibit D** and discussed below, Applicant submits that the proposed spacing unit configuration will prevent waste, avoid the drilling of unnecessary wells and protect correlative rights.

2. Idaho Code § 47-317(2): An order establishing spacing units shall specify the location, size, and shape of the unit, which, in the opinion of the department, shall result in the efficient and economical development of the pool as a whole. These units established by the department shall be geographic. The geographic boundary of the unit shall be described in accordance with the public land survey system. The department shall issue an order establishing a spacing unit or units to determine the area that can be efficiently and economically drained by one (1) well for the orderly development of the pool.

As set forth in Exhibit D, Applicant submits that the proposed spacing unit will result in the efficient and economical development of the pool as a whole. The proposed spacing unit is geographic and described in accordance with the public land survey system, and within that requirement describes the area that can be efficiently and economically drained by one well for the orderly development of the pool.

A standard spacing unit consisting of either all of Section 9 or all of Section 10 would not accomplish the orderly development of the pool or describe the area that can be economically or efficiently drained by one well, as large areas of either unit would be outside the drainage area of an anticipated well targeting Sands A and B. Compensation to owners of those areas would injure the correlative rights of owners of the minerals within the drainage area of the well. “Correlative rights” are defined in the Act to mean “the opportunity of each owner in a pool to produce his just and equitable share of oil and gas in a pool without waste.” Idaho Code § 47-310(8). Additionally, development according to standard spacing would result in inefficient drainage, could diminish the quantity of hydrocarbons ultimately produced from Sands A and B, and require unnecessary additional wells, causing waste. Idaho Code § 47-310(36)(a).

The proposed unit area is described by geographic subdivision as required by Idaho Code § 47-317(2). The proposed unit area is not required to exactly describe the outlines of the sand to be tested and produced. Courts in other states have erred on the side of the inclusion of questionable

May 3, 2024

Page 3

acreage when confronted with claims of barren acreage within a spacing unit. *See Amoco Production Co. v. Ware*, 602 S.W.2d 620 (Ark. 1981).

3. Idaho Code § 47-328(3)(b): For applications involving an order regarding establishment or amendment of a spacing unit, . . . the applicant shall send a copy of the application and supporting documents to all known and located uncommitted mineral interest owners, all working interest owners within the proposed spacing unit, and the respective city or county where the proposed unit is located. The mailing shall be sent by certified mail within seven (7) days of filing the application and include notice of the hearing date on which the administrator will consider the application. For any uncommitted owners and working interest owners who cannot be located, an applicant shall publish notice of any application for an order, notice of hearing and response deadline once in a newspaper of general circulation in the county in which the affected property is located and request the department publish notice on its website within seven (7) days of filing of the application.

Within seven days of the filing of this Application, Applicant will mail a copy of this application and its supporting exhibits, along with a notice of the hearing date on which the Administrator will hear the application according to the Department's regular hearing schedule, to all uncommitted mineral interest owners in the proposed spacing unit area, as listed on Exhibit B, as well as to all uncommitted mineral interest owners in properties contiguous with the proposed spacing unit area.² Applicant will separately file copies of mailing receipts with the Department following the mailing.

There are no unknown or unlocatable mineral interest owners in the proposed unit area, or as to the tracts immediately adjacent to the proposed unit area.

Applicant requests that this application be heard at the next regularly scheduled administrative hearing date listed on the Department's website, June 13, 2024.

Very truly yours,
HARDEE, PINOL & KRACKE, PLLC



Michael Christian

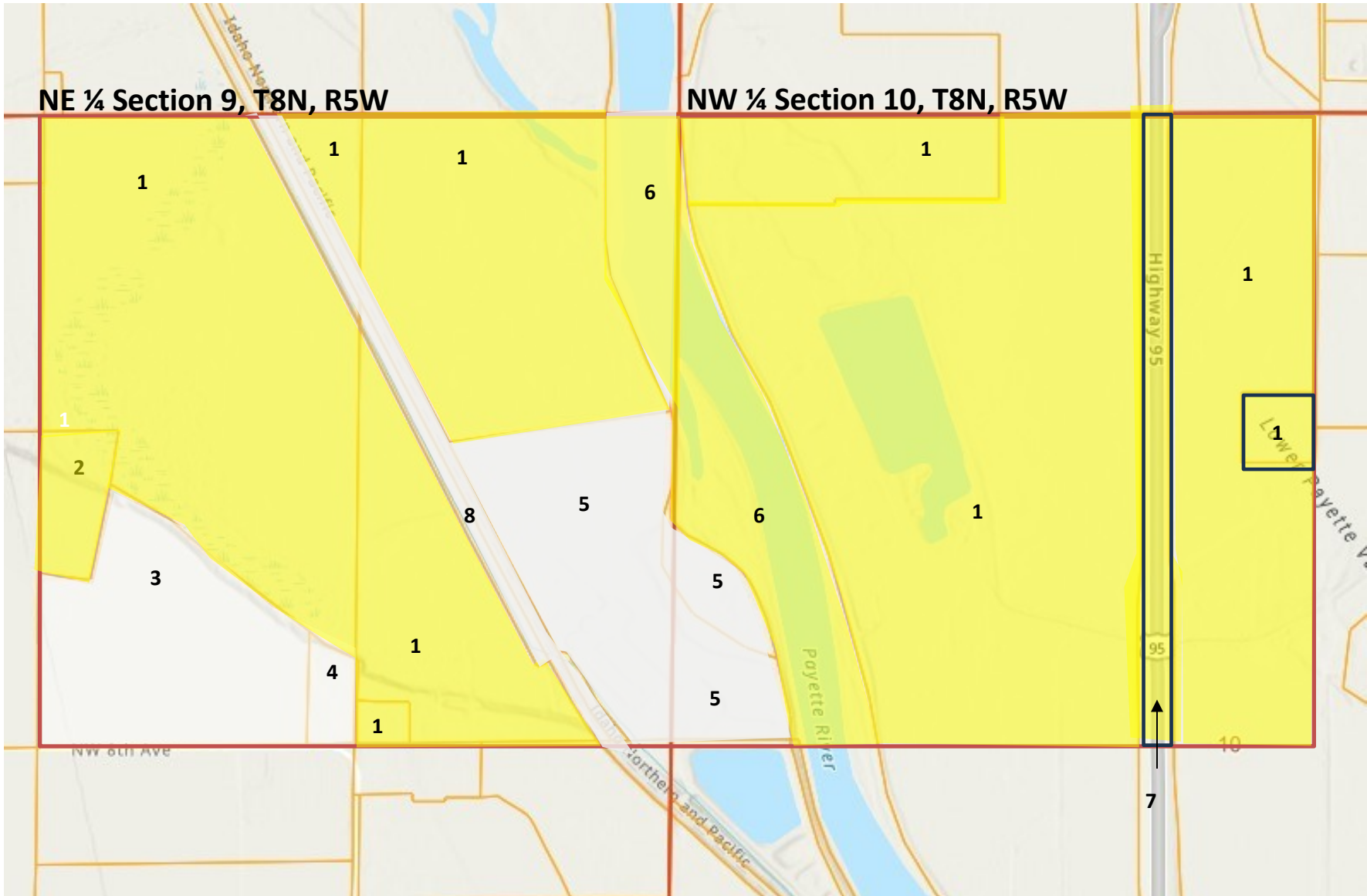
² § 328(3)(b) does not require notice to mineral owners outside the proposed unit area, but in an exercise of caution Applicant is noticing those uncommitted owners of tracts contiguous to the proposed unit area not already receiving notice by virtue of owning property inside the proposed unit area.

May 3, 2024
Page 4

Attachments: Exhibit A (plat map)
Exhibit B (list of mineral owners)
Exhibit C (Declaration of Richard Brown)
Exhibit D (Declaration of David Smith)

cc: Snake River Oil and Gas, LLC

The Northeast Quarter of Section 9 and The Northwest Quarter of Section 10 Township 8 North, Range 5 West.



BEFORE THE IDAHO DEPARTMENT OF LANDS

**In the Matter of Application of Snake River Oil)
and Gas, LLC for an Order establishing a)
Spacing Unit Consisting of the NE ¼ of Section)
9, and the NW ¼ of Section 10, Township 8)
North, Range 5 West, Boise Meridian, Payette)
County, Idaho)**

Docket No. CC-2024-OGR-01-001

**SNAKE RIVER OIL AND GAS, LLC,)
Applicant.)
)
)
)
)**

DECLARATION OF DAVID M. SMITH

STATE OF TEXAS)
) ss
County of Harris)

I, David M. Smith, declare:

1. I have over 40 years' experience in domestic and international exploration, development and acquisitions/divestitures of oil and gas properties. I have been involved in Idaho oil and gas exploration since 2012. I worked in exploration at Paramount Petroleum and Torch Energy Advisors, Inc., and served as the Exploration Manager for Bellwether Exploration Company. I served as the Vice President of Geosciences for Alta Mesa Holdings. I earned a Bachelor of Science in Geology from Virginia Tech. I am a working interest partner in and consult for Snake River Oil and Gas in Idaho. Included in my responsibilities are interpreting data from 2-D and 3-D seismic projects, identifying and evaluating likely pools based on interpretation of

seismic and geologic data, selecting drilling targets based on such interpretation and evaluation, and interpreting the geophysical logs acquired during drilling operations.

2. I designed and supervised the acquisition of a 3-dimensional (3-D) seismic survey with specific parameters to explore for oil and gas reservoirs, appropriate to the challenges of this sedimentary basin. The sediments are often complexly faulted. There are often numerous basalt flows, dikes and sills present in the subsurface. These conditions complicate geologic interpretations from geophysical data.

3. I interpreted these seismic data from a project which covered several sections in Township 8 North, Range 5 West, Payette County, Idaho, including the NE $\frac{1}{4}$ of Section 9 and the NW $\frac{1}{4}$ of Section 10 (“the subject spacing unit”).

4. My exploration approach in this basin is to rigorously interpret 3-D seismic data while incorporating and integrating subsurface knowledge gained from wells which we have previously drilled in the basin. The interpretation of these data is informed and guided by field work in the basin studying the sediments in outcrop and extensive review of previous geologists published work in the basin.

5. The time information contained in the 3-D seismic data can be used to estimate the depth of specific horizons of interest extrapolating away from well control into undrilled areas.

6. Immediately after drilling a well, we record (or “log”) multiple geophysical parameters of the rocks exposed in the open wellbore by lowering multiple instruments to the bottom of the hole and slowly withdrawing them back to the surface as we measure and record the responses from the rocks over every foot of section. These records are called “Open Hole Logs” or “OHL’s”.

7. One of the instruments in the OHL suite, the Sonic log, measures the transit time of a sound pulse through each rock type encountered at the varying depths in the wellbore. These measurements can be analyzed and compiled to produce a time-depth chart which estimates the time that a sound pulse from the surface would take to reach a known depth in that particular wellbore.

8. This time depth relationship can be utilized with the time information contained in the 3-D seismic and used to identify and “tie” specific reflections which are created by specific rock types or formations encountered in the wellbore.

9. The specific reflection or “horizon” of interest can then be mapped in the 3-D seismic volume laterally away from the wellbore into unexplored areas, and informed interpretations can then be made as to that horizons’ depth, and presence or absence at other locations within the 3-D survey.

10. Additionally, I study the seismic responses produced by the different rock types (lithologies) encountered and the seismic responses from sands with different thicknesses and fluid types (typically gas-saturated versus water-saturated sands of varying thicknesses). In certain settings, a gas-saturated sand can produce an anomalous seismic response which differs markedly from that produced by a water-saturated sand. The anomalous response is produced because the presence of gas in a sands pore spaces lowers its density and the transit time velocity of a sonic pulse. Mapping the area of the anomalous response can give a reasonable approximation of the area of the presumed gas reservoir.

11. The proposed well in the new unit would be an exploratory test targeting presumed sands in the Idaho Group.

12. The primary target reservoir sections are Sands A and B which are presumed fluvial and lacustrine sands within the Poison Creek and Chalk Hills formations of the Idaho Group. These sands are found productive and across a saddle in the Fallon #1-10 well (See Exhibit A) .

13. The Fallon #1-10 well is producing gas from Sand B and has a Gas/Water contact found at -1388' subsea. The proposed new well is targeting a separate pool to the north, with a proposed Gas Water contact interpreted from the seismic approximately 25 milliseconds or 100' structurally higher at approximately -1290' subsea. (See Exhibits A & B).

14. The trap for the presumed new pool is two down to the northeast faults bounding the pool on the north and east, and the stratigraphic termination of Sands A and B to the Northeast. Sand B has only been found locally in the Fallon 1-10 and the Barlow 2-14 wells and is not present to the east. The black-dashed line on Exhibit C represents the stratigraphic termination of Sand B.

15. Potential top seal could be provided by claystones and tuffaceous silts of the overlying Glenn's Ferry formation. These sediments represent later, deeper water lacustrine facies

16. Local well control suggests significant variability of porosity, permeability and sand thickness in the target section.

17. This prospect is targeting a presumed structural and stratigraphic trap defined by seismic data. The top of the prospective Sand A is expected to be approximately -1140' subsea, and Sand B is expected at approximately -1250' subsea.

18. 3-D seismic data localizes this presumed new pool in the NE ¼ of Section 9 and the NW ¼ of Section 10 in Township 8 North, Range 5 West. Based on rigorous interpretation of the seismic data, I conclude that a 320 acre geographic unit encompassing the above described 2 quarter sections is the best fit to cover the lands underlain by the presumed pool at the primary

objective sand B, and that the proposed 320 acre unit is not smaller than the maximum area that could be efficiently and effectively drained by one well. The test well would be located near the center of the unit. My interpretation of 3-D seismic data leads me to conclude that the target sand's down dip productive limit is likely contained within the proposed unit area. See Exhibit C, which shows the areal extent of the reflection from the base of the postulated gas reservoir in relation to the proposed unit outline.

19. Based upon the similarity of the characteristics of the seismic responses in the proposed new unit to the characteristics of seismic responses associated with known gas productive sands in this area, in my opinion Sands A and B are likely prospective for hydrocarbons in the proposed unit area.

20. There is much to be learned about the geology of this basin, and our intention would be to drill some distance below the two primary objective sands and see the deeper section. Our intention would be to unitize these lands to all depths.

21. I declare under penalty of perjury under the laws of the State of Idaho that the foregoing is true and correct to the best of my knowledge.

Dated this 29th day of April, 2024.



David M. Smith

Fern Marie Robinette
1255 Allen Ave, Apt. 104
Fruitland, ID 83619

Robert and Sue Hewett
1400 N. 8 Avenue
Payette, ID 83661

City of Fruitland
P.O. Box 324
Fruitland, ID 83619

Idaho Northern and Pacific Railroad
1400 Douglas ST Stop 1640
Omaha, NE 68179

Owner	Address
City Of Fruitland	Already to be noticed as uncommitted owner in unit area
James E Way	9000 Washoe Rd, Payette
Nelson Metal Tech	8952 Washoe Rd, Payette
Rickey G Griffin	1247 Nw 8 Ave, Payette
Timothy E Lefebvre	8700 Shannon Rd, Payette
Robert Harris	8660 Shannon Rd, Payette
Idaho Northern & Pacific Railroad	Already to be noticed as uncommitted owner in unit area
Karen Le Oltman	8970 Hurd Ln, Payette

5. Uncommitted adjacent owners

From: [David Smith](#)
To: [James Thum](#)
Cc: [Mike Christian](#); [Richard Brown](#)
Subject: Re: Docket No. CC-2024-OGR-01-001 - IDL reply
Date: Friday, May 03, 2024 05:19:13 PM
Attachments: [North Harmon 8.5 x 11 Unit Exhibits EDITS.pdf](#)

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

James,

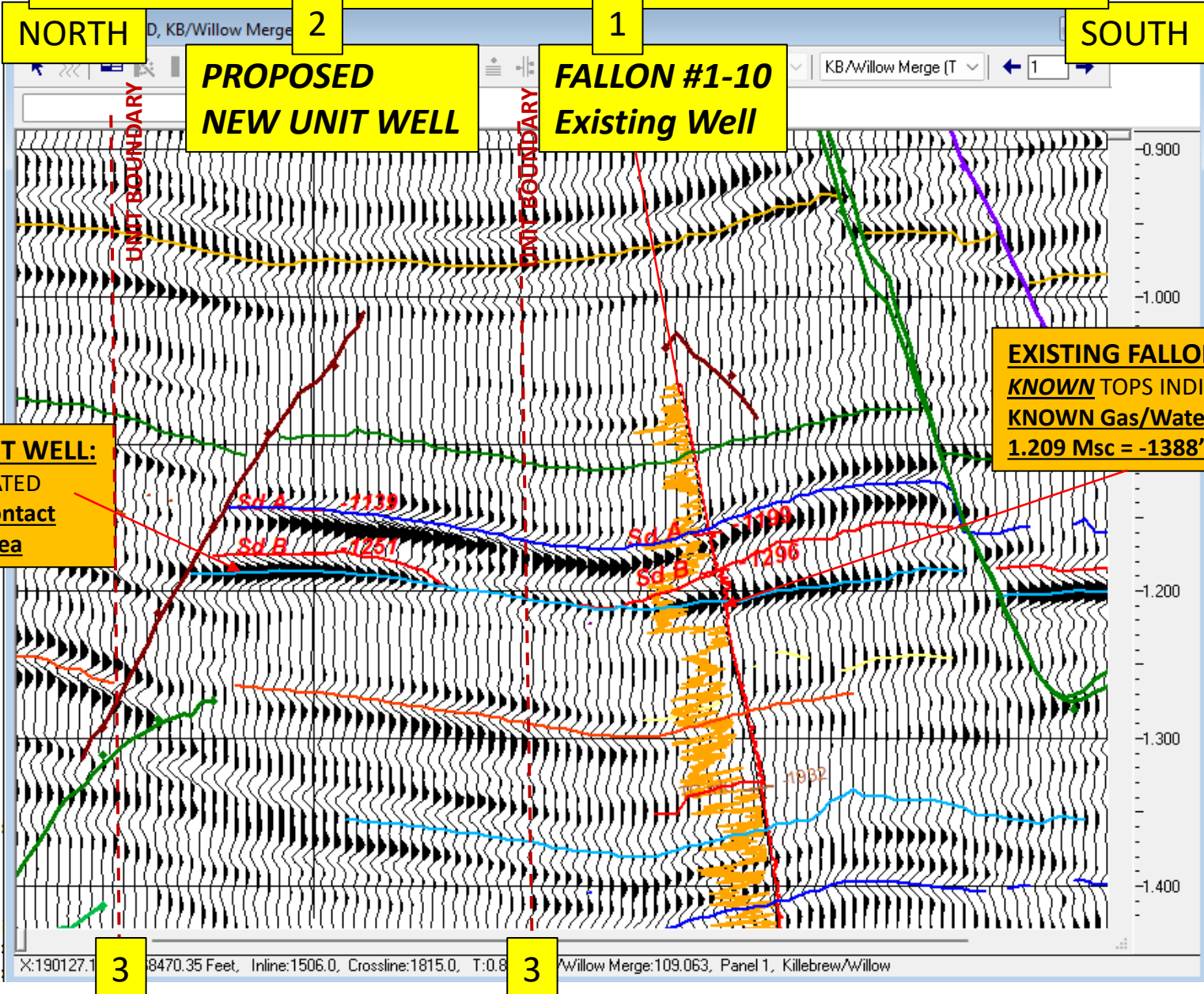
Thank you for your letter in response to our spacing application. Attached please find a new "Exhibits" file with the revised displays as requested.

There is an additional seismic line as requested, and additional labelling which I think improves the clarity of the exhibits.

Thanks and Regards,

Dave

- North-South 3-D Seismic Line Showing:
1. (Right) Known Sand B Gas Pool – South Unit, **Fallon #1-10**
 2. (Left) Presumed Sand B Gas Pool in Proposed New Unit
 3. Proposed New Unit Boundaries (Maroon Dashed Lines)



PROPOSED NEW UNIT WELL:
ESTIMATED TOPS INDICATED
 Estimated Gas/Water Contact
 1.186 Msc = -1294' Subsea

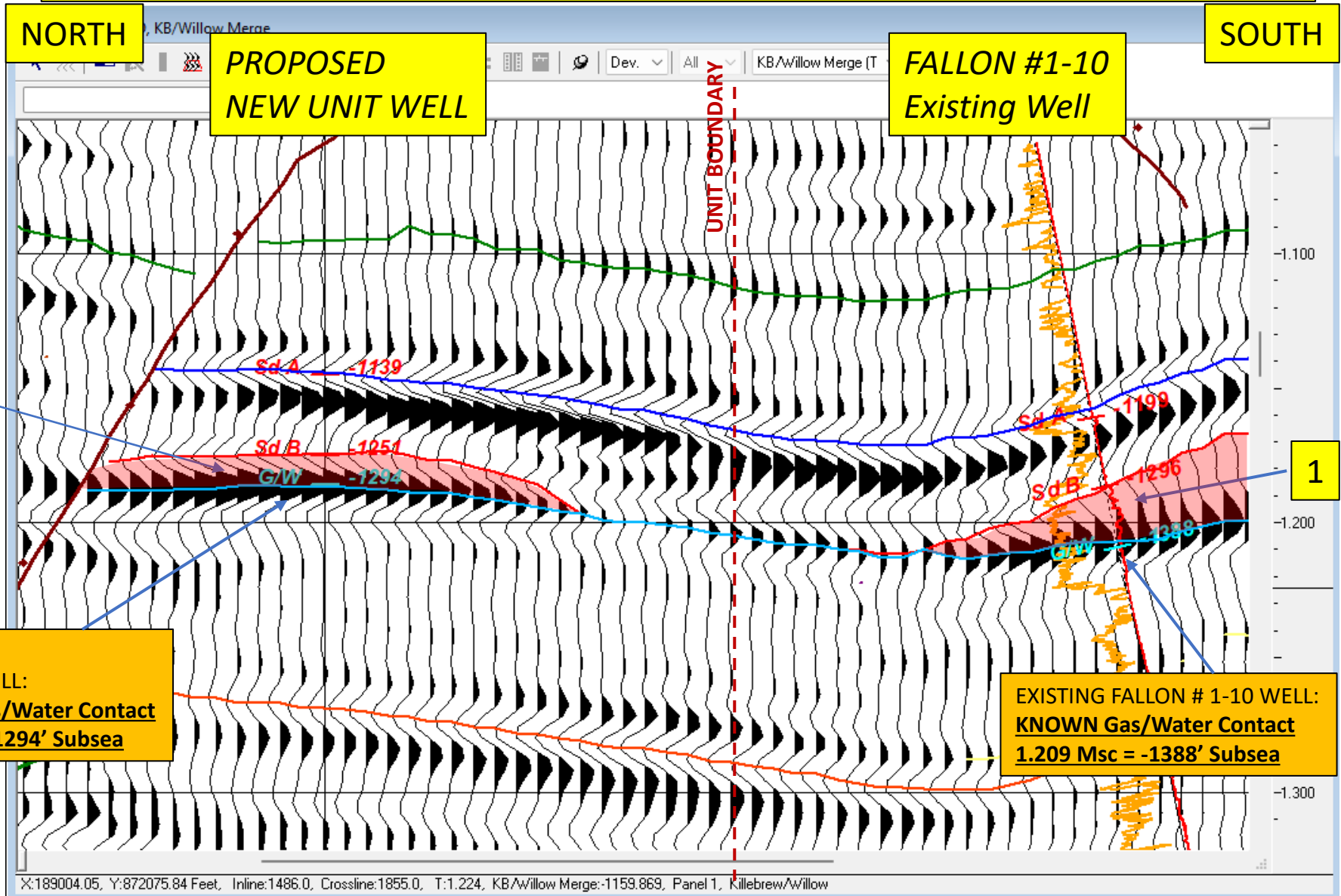
EXISTING FALLON # 1-10 WELL:
KNOWN TOPS INDICATED
 KNOWN Gas/Water Contact
 1.209 Msc = -1388' Subsea

3

3

North-South 3-D Seismic Line (Enlarged & Interpreted) Showing:

1. (Right) Known Sand B Gas Pool – South Unit, **Fallon #1-10**
2. (Left) Presumed Sand B Gas Pool – Proposed New Unit
3. Fallon #1-10 Log Curves Displayed: Gamma Ray (Gold) & Induction (Red)

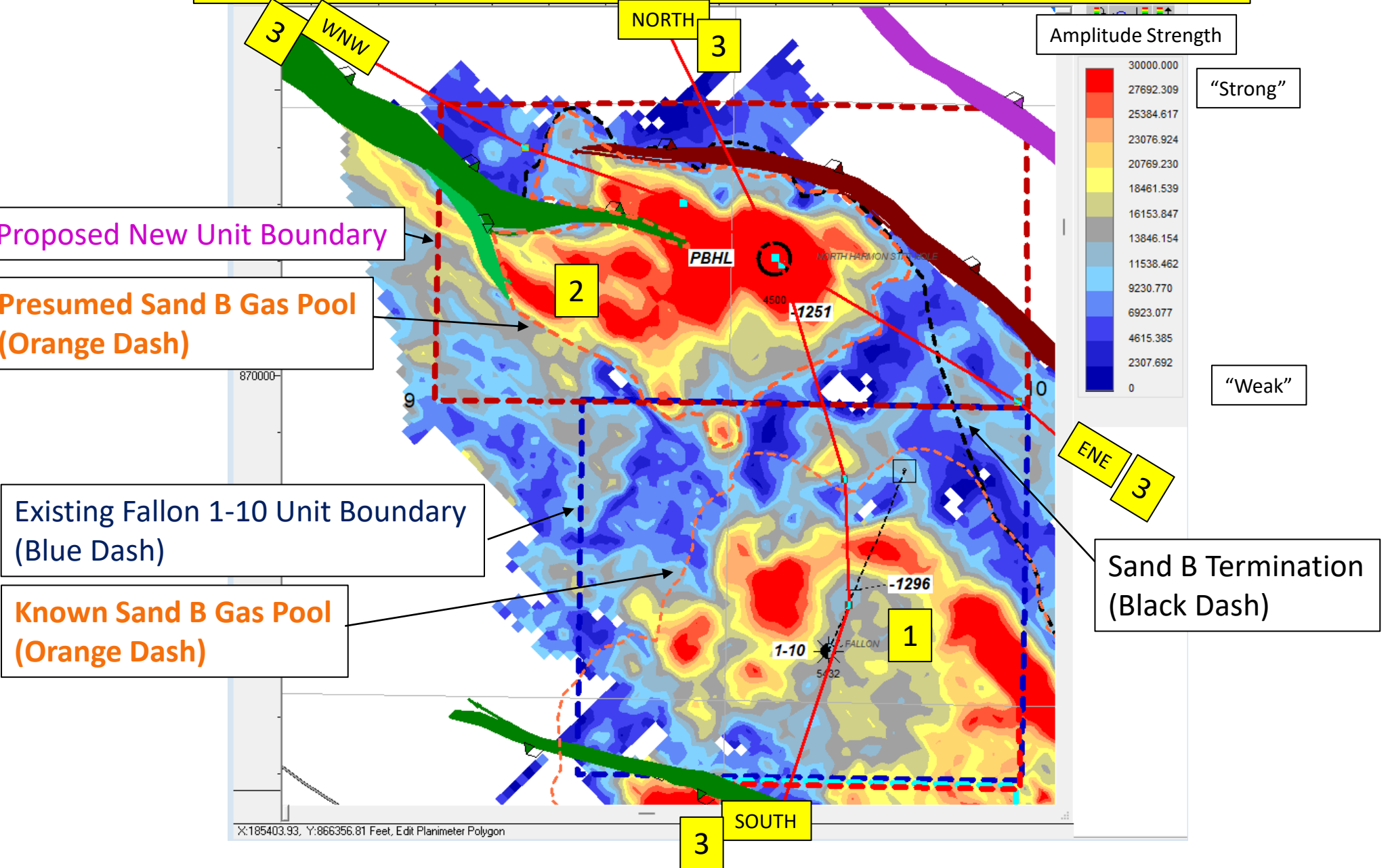


PROPOSED NEW UNIT WELL:
Estimated Gas/Water Contact
1.186 Msc = -1294' Subsea

EXISTING FALLON # 1-10 WELL:
KNOWN Gas/Water Contact
1.209 Msc = -1388' Subsea

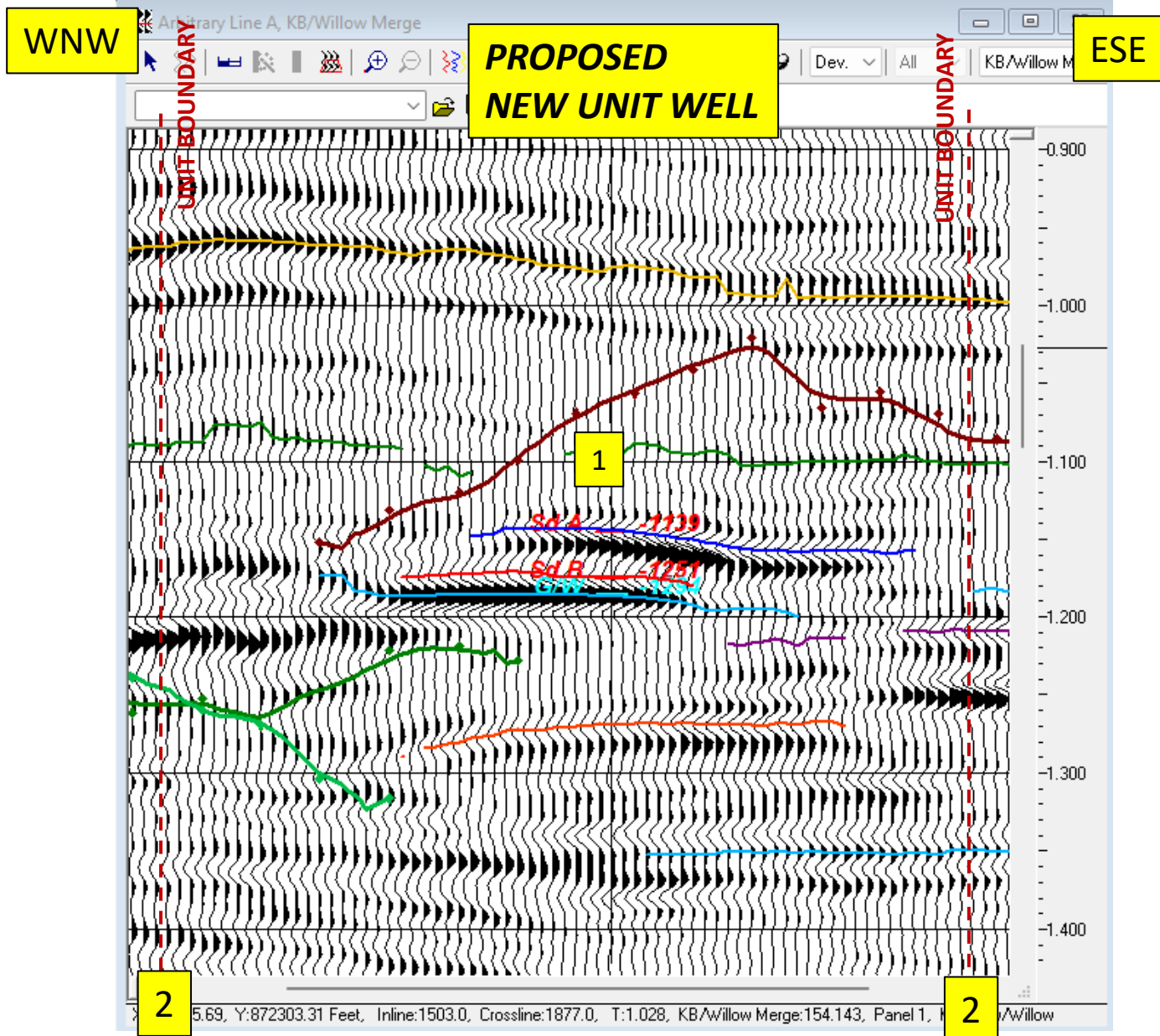
Amplitude Map Showing Strength of Reflection from Base of:

1. Known Sand B Gas Pool – South Unit, Fallon #1-10
2. Presumed Sand B Gas Pool – Proposed New Unit
3. Location of 3-D Seismic Lines in 2 Previous & Following Slides (Red)



West Northwest-East Southeast (WNW-ESE) 3-D Seismic Line Showing:

1. Presumed Sand A & B Gas Pools – Proposed New Unit
2. Proposed New Unit Boundaries Displayed on the Seismic Line (Maroon Dash)



ATTACHMENT 5

**OTHER CASE TRANSMITTAL SHEET – ADJUDICATION, ARBITRATION, or
MEDIATION pursuant to I.C. § 67-5280(2)(b)**

State of Idaho - Office of Administrative Hearings

TO: **OFFICE OF ADMINISTRATIVE HEARINGS** (email: Bryan.Nickels@oah.idaho.gov)

DATE: May 7, 2024

FROM: Idaho Department of Lands (Referring Agency/Board)

AGENCY CASE/PROCEEDING NO.: CC-2024-OGR-01-001

***Please attach a copy of:**

- **Petition/order/notice giving rise to the proceeding**
- **Order assigning this matter to the OAH (if applicable)**

AGENCY REQUEST:

- Adjudication
If adjudication, order requested: Preliminary Recommended
- Arbitration
- Mediation
- Other (Please explain below)

PARTY/ATTORNEY:

Name: Snake River Oil & Gas, LLC
Address: PO Box 500, Magnolia, Arkansas 71754-0500
Email: richard@weiserbrown.email
Phone Number: 870-234-3050

PARTY/ATTORNEY:

Name: Idaho Department of Lands
Firm: _____
Address: 300 N. 6th Street, Suite 103, Boise, ID 83720
Email: jthum@idl.idaho.gov
Phone Number: 208-334-0243

SHORT STATEMENT OF THE NATURE OF THIS CASE (e.g., “Suspension of license based on following grounds: ...”):

Snake River has applied for an order to establish a 320-acre spacing unit to drill a gas well, consisting of the NE 1/4 Section 9 and the NW 1/4 Section 10, Township 8 North, Range 5 West, Payette County Idaho. A hearing is needed for the Applicant, the Department, and any objectors to present evidence establishing the location, size, and shape of the spacing unit that will result in the efficient and economical development of the gas pool as a whole. Idaho Code 47-317.

ARE THERE SPECIFIC STATUTORY/REGULATORY RULES ON THE TIME FOR HEARING OR DECISION?

YES: NO:

[OAH typically sets hearings based on parties’ availability and agreement, with written decision no later than the end of the month following the month the hearing was held]

If yes:

Deadline for hearing: June 13, 2024

Deadline for decision: July 12, 2024

Statute(s)/Rule(s) citation: Idaho Code 47-328(3)(d)-(e)

DO ANY HEARING PROCEDURAL RULES, OTHER THAN THE IDAHO RULES OF ADMINISTRATIVE PROCEDURE OF THE ATTORNEY GENERAL, APPLY TO THIS PROCEEDING?

YES: NO:

If yes, statute(s)/rule(s) citation: Idaho Code 47-328(3).

- OAH will confirm that the agency has a current MOU in place for the requested service(s); if not, OAH will contact the agency to set up the needed MOU.
- Unlike contested case proceedings arising from the appeal of an agency order, OAH’s provision of mediation, arbitration, and adjudication services are subject to acceptance by OAH. If OAH is unable to accept a request for mediation, arbitration, or arbitration services in a matter, OAH will still endeavor to assist the agency in identifying an alternative service provider.

ATTACHMENT 6

CERTIFICATE OF MAILING

I hereby certify that on this ___ day of May 2024, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Office of Administrative Hearings
816 W. Bannock St., Suite 203
P.O. Box 83720
Boise, ID 83720-0104
Hearing Officer

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: filings@oah.idaho.gov

Snake River Oil & Gas LLC
c/o Michael Christian
Hardee, Pinol & Kracke PLLC
1487 S. David Lane
Boise ID 83705
Counsel for Applicant

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: mike@hpk.law

Hayden Marotz
Deputy Attorney General
PO Box 83720
Boise ID 83720-0010
Counsel for IDL

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: hayden.marotz@ag.idaho.gov

James Thum
Idaho Department of Lands
PO Box 83720
Boise ID 83720-0050
IDL Program Manager, Oil and Gas

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: jthum@idl.idaho.gov

Kourtney Romine
Idaho Department of Lands
PO Box 83720
Boise ID 83720-0050
IDL Workflow Coordinator

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: kromine@idl.idaho.gov

Patti Nitz
Payette County Planning and Zoning
1130 3rd Ave. N. # 107
Payette, ID 83661
County

- U.S. Mail, postage prepaid
- Hand Delivery
- Email: pnitz@payettecounty.org

Fallon Enterprises
Larry James
Leased

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Garman & Sons, Inc
Leased

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Fern Marie Robinette
1255 Allen Ave, Apt. 104
Fruitland, ID 83619
Unleased

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Robert and Sue Hewett
1400 N. 8 Avenue
Payette, ID 83661
Unleased

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

City of Fruitland
P.O. Box 324
Fruitland, ID 83619
Unleased

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Payette River
Idaho Department of Lands
Leased

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Highway 95
Idaho Transportation Department
Leased

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Idaho Northern & Pacific Railroad
1400 Douglas ST Stop 1640
Omaha, NE 68179
Unleased

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

James E Way
9000 Washoe Rd
Payette, ID 83661
Adjacent Owner

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Nelson Metal Tech
8952 Washoe Rd,
Payette, ID 83661
Adjacent Owner

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Rickey G Griffin
1247 NW 8 Ave
Payette, ID 83661
Adjacent Owner

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Timothy E Lefebvre
8700 Shannon Rd
Payette, ID 83661
Adjacent Owner

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Robert Harris
8660 Shannon Rd,
Payette, ID 83661
Adjacent Owner

- U.S. Mail, postage prepaid
- Hand Delivery
- Email:

Karen Le Oltman
8970 Hurd Ln
Payette, ID 83661
Adjacent Owner

- U.S. Mail, postage prepaid
 - Hand Delivery
 - Email:
-